

REMARKS / DISCUSSION OF ISSUES

Claims 1-15 are pending in the application, of which claims 1-14 are allowed. The Office action states that prosecution for on the merits is closed in accordance with the practice under *ex parte Quayle*.

Applicant(s) thank(s) the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

The Office action objects to claim 4 for an informality. Claim 4 is amended to correct this informality, an obvious typographical error noted by the Examiner. The claims are not narrowed in scope and no new matter is added.

The Office action restricts claim 15 as allegedly being independent or distinct from the invention of claims 1-14, finds claims 1-14 as constructively elected, and withdraws claim 15 from consideration. Applicants respectfully traverse this restriction and withdrawal. Applicants' traversal is based at least on the fact that the device and the method for using it are so closely related that searching both the device and the method would not impose an undue burden on the Examiner.

**MPEP § 803 - Restriction - When Proper**

... If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is

respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



---

Eric M. Bram  
Reg. 37,285  
Att'y for Applicant(s)  
Philips Intellectual Property  
& Standards

P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
Phone: (914) 333-9635  
Fax: (914) 332-06150